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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,058	12/04/2001	Jeong-Dae Son	678-714(P9741)	6217
28249	7590	05/22/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/007,058

Applicant(s)

SON, JEONG-DAE

Examiner

Khai M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☒ Claim(s) 11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination (RCE) under 37 CFR 1.114 was filed in this application on 4/20/2006 after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. The request, however, lacks the fee required by 37 CFR 1.17(e) and/or the submission required by 37 CFR 1.114. Accordingly, the RCE is improper and any time period running was not tolled by the filing of the improper request.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoon (U.S. Pat-5978589).

Regarding claim 11, Yoon teaches a system for sharing a program in a mobile communications system having a control unit and a plurality of target boards (fig.1, master processor 2, col.1, lines 13-24), comprising:

wherein the control unit stores an execution file compiled to contain program code to operate each of the plurality of target boards according to a target board

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identification (ID) (fig.1-2, master processor 2, processor 0, processor 1, ...processor n, col.1, lines 13-24, col.2, lines 30-42), and

the control unit includes a main processor (fig.1, master processor 2, col.1, lines 13-24) for;

executing the execution file for operating the plurality of target boards (fig.1-2, master processor 2, processor 0, processor 1, ...processor n, col.1, lines 13-24, col.2, lines 30-42);

reading the target board ID of each target board (fig.1-2, master processor 2, processor 0, processor 1, ...processor n, col.1, lines 13-24, col.2, lines 30-42); and

initializing target board hardware according to the target board ID (fig.1-3, master processor 2, processor 0, processor 1, ...processor n, col.1, lines 13-24, col.2, lines 30-42).

Regarding claim 12, Yoon teaches the system of claim 11, wherein the main processor:

Initializes an operating system (OS) for each target board using the target board ID (fig.1-2, master processor 2, processor 0, processor 1, ...processor n, col.1, lines 13-24, col.2, lines 30-42); and

Branches into a sub-routine for each target board according to the target board ID (fig.1-2, master processor 2, processor 0, processor 1, ...processor n, col.1, lines 13-24, col.2, lines 30-42).

Allowable Subject Matter

3. Claims 1-10 are allowed.

Applicant's independent claims 1, 6: The present invention is directed to a method of sharing a program using target board identification (IDs) in a mobile communication system as defined in the specification (paragraph 0014-0020). Each independent claim identifies the uniquely distinct feature "a main processor a target board ID of each target board; initializing target board hardware according to the target board ID, and initializing by a main processor an operating system (OS) for each target board using the target board ID; and branching by a main processor into a sub-routine for each target board according to the target board ID and executing by a main processor an application program for the target board, and storing by a main processor a master execution file in a memory, said master execution file compiled to contain program code to operate a plurality of target boards of the mobile communication system, said main processor apart from said plurality of target boards". The closest prior art, Yoon (U.S. Pat-5978589) discloses a base station of a digital cellular system is a load distributed control system consisting of a plurality of processors, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

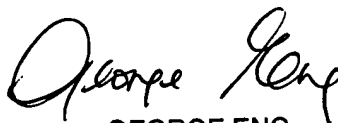
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571.272.7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
Au: 2617

5/10/2006


GEORGE ENG
SUPERVISORY PATENT EXAMINER